



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GEISSMANN *et al.*

Appl. No.: 09/832,922

Filed: April 12, 2001

For: **Compositions and Methods for Use
in Modulating Immune System
Function**

Confirmation No.: 8471

Art Unit: 1644

Examiner: Huynh, Phuong N.

Atty. Docket: 1383.0260001/EKS/BJD

First Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Information Disclosure Statement filed on May 22, 2002 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

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03/10/2004 HAL111
02 FC:1806

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our Credit Card Payment Form (PTO-2038) in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO 1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: March 8, 2004

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FORM PTO-1449

**FIRST SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**

ATTY. DOCKET NO.
1383.0260001/EKS/BJDAPPLICATION NO.
09/832,922FIRST NAMED INVENTOR
Frederic GEISSMANNFILING DATE
April 12, 2001ART UNIT
1644**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>75</u>	
	AS	<u>75</u>	
	AT	<u>75</u>	Gallagher, R., et al., "Characterization of the Continuous, Differentiating Myeloid Cell Line (HL-60) From a Patient With Acute Promyelocytic Leukemia," <i>Blood</i> 54:713-733, The Journal of The American Society of Hematology (1979).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.